

Application No. 09/961,246
Response to 12/01/2005 Notice of
Non-Compliant Amendment

Attorney's Docket No. 0119-118

REMARKS

The Notice of Non-Compliant Amendment objects to the absence of a listing of claims in the Response filed on September 20, 2005. Such a listing is not required because the Response did not amend any of the claims, although the first paragraph of the Remarks in the Response refers to claim amendments. This was discussed by telephone with Examiner Eng on December 7, 2005. To clarify any ambiguity, this paper re-presents the Remarks included in the Response with a corrected first paragraph. Favorable consideration is respectfully requested.

Claims 1-3, 5-7, 9-16, and 18-23 are pending.

The withdrawal of the rejections under 35 U.S.C. § 112, second paragraph, and under Section 102(e) is gratefully acknowledged.

The pending claims now stand rejected under Section 103(a) for obviousness over a combination of previously cited U.S. Patent No. 6,675,015 to Martini et al. ("Martini") and U.S. Patent Application Publication No. 2003/0037125A1 to Luman et al. ("Luman"). It is respectfully requested that these rejections be reconsidered and withdrawn because Martini and Luman fail to support a *prima facie* case of obviousness.

As previously pointed out, this application teaches that a network access point (NAP) has multiple transceivers and yet is arranged such that it appears as a single network access point, for example by having the NAP use a single Bluetooth device address (BD_ADDR) for all of its transceivers. Neither Martini nor Luman teaches this.

The Action again points to Martini's col. 6, ll. 40-42, and Fig. 1 as teaching that Martini's base station can appear to a node communicating with it as a single base station. This is still incorrect. The cited text and figure do not say that Martini's mobile device cannot distinguish between the different transceivers of the base station. In fact, Martini says nothing about how the base station appears to a mobile device, whether as a single device or as multiple devices.

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The Action appears to recognize the deficiency of Martini by citing Luman, which discloses methods of enabling a plurality of individual electronic devices, e.g., a mobile phone and a personal digital assistant, to establish with each other a "virtual device" and thereby distribute functional tasks among the various devices. See, e.g., paragraph 0014. According to the Action, Luman teaches "generating a virtual device by sharing . . . identities including Bluetooth device address and their sharable resource and capability", citing paragraphs 0032 and 0033 of Luman.

It must be understood that Luman's "sharing . . . identities . . . and their sharable resource and capability" does NOT mean that Luman's individual electronic devices have the same address, as argued by the Action. Instead, all that the individual electronic devices do is let one another know (viz., they "share") their still-individual addresses. This meaning of the word "sharing" in Luman is apparent at least because device resources and capabilities are also "shared" and because the "shared" information is maintained in a decision matrix, or list, that includes "currently available resources and the address of the associated electronic device that has those resources". See Luman, paragraph 0032, underlining added.

With respect to dependent claim 12 and independent claim 16 and its dependent claims, more than one auxiliary transceiver is used for inquiry scan, page scan, and connection setup. Martini still teaches only a single transceiver or several single transceivers for handling inquiry scan, page scan, and connection setup, and one or more transceivers for handling regular traffic. See Martini, col. 6, ll. 41-45 and 50-51. In particular with respect to claim 16, Martini does not teach that separate transceivers can respectively handle inquiry procedures and page scan/connection establishment. Martini teaches only that inquiry procedures and page scan/connection establishment are handled by the same transceiver. Luman, of course, is utterly silent on these features that are absent from Martini, as admitted by the Action's failure to cite any compensating features in Luman.

Because no combination of Martini and Luman discloses all of the features recited by each of the independent claims, as well as by the rejected claims, the cited documents are insufficient as bases for a *prima facie* case of obviousness. Accordingly,

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it is respectfully submitted that the obviousness rejections be reconsidered and withdrawn.

It is also believed that Martini and Luman would not have supplied any motivation to combine them as suggested by the Action and that there would have been no reasonable expectation that such complex documents could be successfully combined to yield a working system. Moreover, even if Martini and Luman had been combined in some way, the combination would have had to have been further modified to obtain the features of the claimed subject matter. In view of the significant differences between the subject matters claimed and Martini and Luman, it is believed unnecessary to discuss in detail these other two requirements of a *prima facie* case of obviousness.

It is believed that this application is in condition for allowance, and an early Notice of same is again respectfully solicited. If the Examiner has any questions, the undersigned attorney may be telephoned at the number given below.

Respectfully submitted,



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